

APR 09 2002  
PATENT & TRADEMARK OFFICE  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

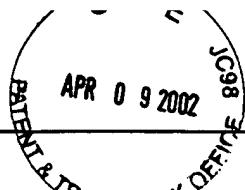
Complete if Known	
Application Number	10/050,593
Filing Date	January 16, 2002
First Named Inventor	Charles A. KING et al.
Examiner Name	To be assigned
Group Art Unit	1638
Total Number of Pages in This Submission: 6	Attorney Docket Number N1375-002

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### REMARKS:

SUBMITTED BY		Complete (if applicable)		
NAME & REG. NUMBER	Nancy T. Morris, #42,017			
SIGNATURE	Nancy T. Morris	DATE	April 2, 2002	DEPOSIT ACCOUNT USER ID



**FEE TRANSMITTAL  
for FY 2001  
(Small Entity)**

		<i>Complete if Known</i>	
		Application Number	10/050,593
		Filing Date	January 16, 2002
		First Named Inventor	Charles A. KING et al.
		Examiner Name	To Be Assigned
		Group Art Unit	1638
Total Amount of Payment	(\$615.00)	Attorney Docket Number	N1375-002

**METHOD OF PAYMENT (check one)**

1.  The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status.

2.  Payment Enclosed:
  - Check
  - Credit Card

**FEE CALCULATION**

**1. FILING FEE**

Fee	Fee	Fee Description	Fee Paid
Code	\$		
201	370	Utility filing fee	[370]
206	165	Design Filing Fee	[ ]
207	255	Plant Filing Fee	[ ]
208	370	Reissue Filing Fee	[ ]
214	80	Provisional Filing Fee	[ ]

**SUBTOTAL** \$370

**2. CLAIMS**

Total Claims	[40]	- 20**	= [20]	x	Extra Claims	Fee	Fee Paid
Independent Claims	[ ]	- 3**	= [ ]	x		\$ 9 =	[180]
Multiple Dependent Claims	[ ]	-	[ ]	x		42 =	[ ]
						140 =	[ ]

\*\*or number previously paid, if greater;

**SUBTOTAL** \$180

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[65]
227	25	Surcharge - late provisional filing fee or cover sheet	[ ]
139	130	Non-English specification	[ ]
147	2,520	For filing a request for reexamination	[ ]
112	920	Requesting publication of SIR prior to Examiner action	[ ]
113	1,840*	Requesting publication of SIR after Examiner action	[ ]
215	55	Extension for reply within first month	[ ]
216	200	Extension for reply within second month	[ ]
217	460	Extension for reply within third month	[ ]
218	720	Extension for reply within fourth month	[ ]
228	980	Extension for reply within fifth month	[ ]
219	160	Notice of Appeal	[ ]
220	160	Filing a brief in support of an appeal	[ ]
221	150	Request for Oral Hearing	[ ]
138	1,510	Petition to institute a public use proceeding	[ ]
240	55	Petition to revive -unavoidable	[ ]
241	640	Petition to revive - unintentional	[ ]
242	640	Utility issue fee (or reissue)	[ ]
243	230	Design issue fee	[ ]
244	310	Plant issue fee	[ ]
122	130	Petitions to the Commissioner	[ ]
123	50	Processing fee under 37 CFR 1.17(q)	[ ]
126	180	Submission of Information Disclosure Statement	[ ]
581	40	Recording each patent assignment per property (times number of properties)	[ ]
246	370	Filing a submission after final rejection (37 CFR 1.129(a))	[ ]
249	370	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
279	370	Request for Continued Examination (RCE)	[ ]
169	900	Request for expedited examination of a design application	[ ]
195	300	Publication fee for early, voluntary, or normal publication	[ ]
196	300	Publication fee for republication	[ ]
089	200	Filing an application for patent term adjustment	[ ]
090	400	Request for reinstatement of term reduced	[ ]
		Other fee (specify)	[ ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL**

\$65

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Nancy T. Morris, Reg. No. 42,017			
SIGNATURE	<i>Nancy T. Morris</i>	DATE	April 2, 2002	DEPOSIT ACCOUNT USER ID



N1375-002  
NTM/sav

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Charles A. KING et al. ) Box Missing Parts  
Serial No. 10/050,593 )  
Filed: January 16, 2002 )  
For: HERBICIDE RESISTANT )  
DINITROGEN FIXING )  
BACTERIA AND )  
METHOD OF USE )

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated February 25, 2002, response copy attached, a Declaration and Power of Attorney identifying the above-referenced application by Serial Number and Filing Date is being herewith submitted. Also attached is a check in payment of the following fees:

\$ 65.00 (surcharge under 37 C.F.R. 1.16(e))  
370.00 (basic filing fee)  
180.00 (additional claims fee)

\$ 615.00 TOTAL

Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to deposit account number 02-2135.

Respectfully submitted,

By Nancy T. Morris  
Nancy T. Morris, #42,017  
Attorney for Applicants  
ROTHWELL, FIGG, ERNST & MANBECK  
1425 K Street, N.W., Suite 800  
Washington, D.C. 20005  
Telephone: (402) 333-1550



APR 09 2002  
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43

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/050,593	01/16/2002	Charles A. King	N1375-002

CONFIRMATION NO. 4652

6449

ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
555 13TH STREET, N.W.  
SUITE 701, EAST TOWER  
WASHINGTON, DC 20004

FORMALITIES LETTER



\*OC000000007526598\*

Date Mailed: 02/25/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$180.
  - \$180 for 20 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 615.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/10/2002 SDENB0B1 00000124 10050593

01 FC:201	370.00 0P
02 FC:203	180.00 0P
03 FC:205	65.00 0P